



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:	09/560,109	Confirmation No.:	3400
First Named Inventor:	Sallaway, Peter J.	Filing Date:	28 April 2000
Group Art Unit:	2611	Examiner:	Tran, K.
Atty. Docket No.:	M-5628 US		
Title:	System and Method Suitable for Receiving Gigabit Ethernet Signals		
Assignee(s):	National Semiconductor Corporation		

Mountain View, California
27 June 2006

Certificate

JUL 05 2006

of Correction

**CERTIFICATE OF CORRECTION BRANCH
COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450**

REQUEST TO REPRINT PATENT UNDER 35 USC 254 AND 37 CFR 1.322

Sir:

This is a request under 35 USC 254 and 37 CFR 1.322 for the PTO to reprint the above patent in order to correct over two hundred fifty errors made by the PTO in originally printing this patent. The PTO printing errors consist largely of printing errors in the specification but include printing errors in the abstract.

The specification of the application, as originally filed, for the above patent contained a large number of errors. These errors in combination with a considerable amount of awkward grammar made the original specification difficult to read. As a result, changes were requested for over half the paragraphs in the specification.

In examining the above patent, Patentees' Attorney determined that it was printed without the vast majority of changes requested to the specification. More particularly, the patent's specification contain (or largely contains) the changes requested in the amendments submitted 15 October 2003 and 3 December 2003 for revising the text but does not contain the changes requested in the amendments submitted 15 September 2003, 10 February 2004,

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and 20 December 2004 for revising the text to the extent that changes requested in those three amendments were not included with the changes requested in the other two amendments to text. As far as Patentees' Attorney can determine, the PTO approved the specification revisions requested in all five of the amendments to text¹.

The vast majority, over 90%, of the specification changes were presented in the (initial) 15 September 2003 amendment to text. As a result, the above patent was printed without over 90% of the requested specification changes. This amounts to more than two hundred fifty errors² by the PTO in printing the patent's specification.

A substitute specification incorporating the specification revisions requested in the 15 September 2003 amendment to text accompanied that amendment. As a result of the additional changes made in the four other (later) amendments to text, the substitute specification did not incorporate all the revisions to the specification. Accordingly, a corrected substitute specification was submitted with the 20 December 2004 (last) amendment to text in response to the PTO communication³ mailed 20 January 2004.

¹ See the material below, including footnote 3.

² In regard to what constitutes a printing error, Patentees' Attorney deemed the failure to implement a requested shift of a specification item, such as a reference symbol, from one location to another location to be a single printing error in situations where the shift was requested by deletion of the item at the first location and insertion of the item at the second location. If the PTO's failure to delete the item at the first location and to insert the item at the second location were deemed to be two printing errors, there would be approximately 10 % more PTO errors in printing the above patent.

³ The 20 January 2004 PTO communication stated that "Applicant is requested to submit a final substitute specification including previous amendments filed 9/15/03, 10/15/03, and 12/03/03 which have been submitted in order to enable the printing office to print out the application if issued. Therefore, the amendments are not entered". Inasmuch as the 20 December 2004 corrected substitute specification satisfied the requirements of the 20 January 2004 PTO communication, the corrected substitute specification should have been entered. The 20 December 2004 corrected substitute specification should thus have been used in printing the above patent with the result that all of the specification revisions requested in the five amendments to text, including the 15 September 2003, 10 February 2004, and 20 December 2004 amendments to text, should have been incorporated into the patent.

More specifically, the 20 January 2004 PTO Communication specified that the 15 October 2003 and 3 December 2003 amendments to text were not then entered. However, the small number of specification revisions requested in those two amendments were, as indicated above, incorporated into the patent. Hence, the 15 October 2003 and 3 December 2003 amendments to text would clearly seem to have been entered with respect to the requested specification revisions.

No communication provided by the PTO to Patentee's Attorney in connection with the application for the above patent indicates that the entry status of the 15 September 2003 amendment to text in connection with the specification revisions requested in that amendment was any different than the entry status of the 15 October 2003 and 3 December 2003 amendments to text in connection with the specification revisions requested in those two amendments. Since the specification revisions requested in the 15 October 2003 and 3 December 2003 amendments to text were incorporated into the patent, the specification revisions requested in the 15 September 2003 amendment to text should likewise have been incorporated into the patent.

However, it appears that the above patent was printed without using the 20 December 2004 corrected substitute specification.

Utilizing the paragraph numbers in the 20 December 2004 corrected substitute specification, a comparison of the above patent to the 20 December 2004 corrected substitute specification using the marked-up specification⁴ submitted 20 December 2004 as a guide shows that the specification of the above patent was printed without the revisions requested for specification paragraphs 2, 4, 5, 7 - 11, 15, 19, 41, 43 - 46, 48, 50, 51, 59 - 61, 65, 67 - 69, 72 - 76, 79, 82 - 86, 88 - 101, 103, 105, 106, 108 - 113, 118 - 121, 123 - 128, 135 - 137, 140, 141, 144, 146, 148 - 151, 153, 154, 156, 157, 160, 163 - 165, 169, 171 - 173, 175, 177, 178, 182, 183, 185, 188, 189, and 191 - 193 and without the revisions requested for the sub-headings immediately preceding paragraphs 51 and 62.

In addition to the specification revisions not made in printing the above patent, the PTO introduced several new errors into the specification during the patent printing process. For example, the language "symbols $a_{k,1}$ through $a_{k,N}$ over wires 103-1 through 103-N" in paragraph 41 (the first paragraph of the Detailed Description) was misprinted as "symbols $a_{k,1}$ through $a_{k,N}$ over wires 103-1 through 103-N" in the patent. The sub-heading "4-D Trellis Coding" for paragraph 51 was run into paragraph 51 in the patent. Paragraphs 92 and 93 which respectively begin with "A linear equalizer can be implemented using" and "As an example, Figure 7 shows" were misprinted as one paragraph in the patent.

The specification of the above patent covers fifteen pages and thus is relatively long. Since changes were made to over half of the paragraphs in the specification, correcting the patent via a certificate of correction to accommodate the more-than-two-hundred-fifty PTO printing errors would result in a very long certificate of correction and would leave the patent hard to read. In light of this, correcting the patent via a certificate of correction is not suitable in the present circumstances. Accordingly, Patentees' Attorney requests that the

⁴ The 20 December 2004 marked-up specification contains several errors that occurred in reproducing the specification revisions requested in the five amendments (15 September 2003, 15 October 2003, 10 February 2004, 3 December 2003, and 20 December 2004) to text. For instance, "for Gigabit Gigabit transmission" should have read "for gigabit Gigabit transmission" in the last sentence of the marked-up paragraph corresponding to paragraph 41 of the 20 December 2004 corrected substitute specification. In the first sentence of the marked-up paragraph corresponding to paragraph 98 of the 20 December 2004 corrected substitute specification, "the sign Sgn of that ~~error-sgn~~, and outputs" should have read "the sign Sgn of that ~~error~~ ~~error-sgn~~, and outputs". As far as Patentees' Attorney can determine, the 20 December 2004 corrected substitute specification correctly incorporates all the specification revisions requested in the five amendments to text despite the reproduction errors in the 20 December 2004 marked-up specification.

PTO issue a corrected patent under 35 USC 254 and 37 CFR 1.322 to correct the more-than-two-hundred-fifty PTO errors in printing the patent.

Patentee's Attorney further requests that the PTO reprint the patent using the 20 December 2004 corrected substitute specification⁵ as a guide. In this regard, Patentees' Attorney notes that the page numbers of the 20 December 2004 corrected substitute specification begin with the letter "C" in order to help distinguish the corrected substitute specification from the original specification and from the earlier 15 September 2003 substitute specification whose page numbers begin with the letter "S".

The abstract was revised in the 20 December 2004 amendment to text. However, the abstract printed in the patent does not contain the requested revisions to the abstract. In reprinting the patent, Patentees' Attorney further requests that the PTO use the amended abstract as given in the 20 December 2004 amendment to text.

Finally, Patentees' Attorney notes that three of the dependent claims contain self-evident omission/grammatical errors. In dependent patent Claim 4 corresponding to dependent application Claim 39, "lookup" should read "lookup table" in conformity with the use of "lookup table" introduced in independent patent Claim 1 from which Claim 4 depends. At the end of each of dependent patent Claims 23 and 52 respectively corresponding to dependent application Claims 58 and 87, "second-best state metric" should read "the second-best state metric" in conformity with the "second-best state metric" introduced earlier respectively in Claims 23 and 52. If these omission/grammatical errors in the claims can be corrected in the reprinted patent without impeding the reprinting to correct the printing errors in the specification and abstract, Patentees' Attorney further request the PTO to do so. If not, please so inform Patentees' Attorney.

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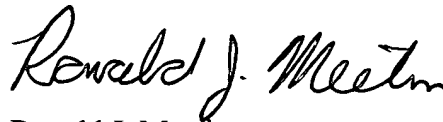
⁵ Patentee's Attorney can provide a copy of the 20 December 2004 corrected substitute form in electronic form, e.g., on a disk or as an email attachment, to further facilitate reprinting the patent.

Please telephone Patentees' Attorney at 650-964-9767 if there are any questions.

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Respectfully submitted,



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